

DOCKET NO. 9528-005-27



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: STEPHEN W. DOWNING    ART UNIT: 3731  
SERIAL NO.: 09/881,045    EXAMINER: NGUYEN, VICTOR  
FILING DATE: JUNE 15, 2001  
FOR:    APPARATUSES AND METHODS FOR PERFORMING MINIMALLY  
         INVASIVE DIAGNOSTIC AND SURGICAL PROCEDURES INSIDE OF A  
         BEATING HEART

**PRELIMINARY AMENDMENT**

**RECEIVED**

ASSISTANT COMMISSIONER FOR PATENTS

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ALEXANDRIA, VA 22313-1450

**JUN 23 2003**

**TECHNOLOGY CENTER R3700**

SIR:

The following amendment to the claims is concurrently filed with Applicant's  
Response to the Restriction Requirement dated April 23, 2003.

Please amend the above-identified application as follows:

**IN THE CLAIMS:**

Please amend the following claim:

27. (Amended) A method as in Claim 16, further comprising:  
  
inserting a stapling device through the lumen of the port; and  
  
positioning staples from the stapling device into at least a portion of the mitral valve  
annulus of a damaged heart valve to reduce a length of the portion of the mitral valve  
annulus.